

FINANCE COMMITTEE

LEWISTON, MAINE

January 12, 2004

PRESENT:

Robert Stone, Councilor Mark Paradis, Councilor Lillian LaFontaine O'Brien, Ronald Paradis and Roger Provencher .

The meeting was called to order at 5:05 p.m.

On motion of Ms. O'Brien, seconded by Mr. Stone it was

VOTED:

(1-2004) To elect Roger Provencher Chairperson of the Finance Committee for the ensuing calendar year.

VOTE: 4-0

Mr. Ronald Paradis arrived at the meeting at 5:06 p.m.

On motion of Ms. O'Brien seconded by Mr. Mark Paradis it was

VOTED:

(2-2004) To dispense with reading of the minutes of the previous meeting dated December 15, 2003 and to accept and place them on file as submitted by the Clerk.

VOTE: 4-0-1

Mark Paradis abstained

The Committee considered adoption of the "Rules of the Finance Committee" for the upcoming year. The rules as proposed were identical to those which were in effect during the previous year. Councilor Mark Paradis requested consideration for moving the starting time of the regular Finance Committee meetings to 5:15 p.m. rather than 5:00 p.m.

On motion of Mr. Stone, seconded by Ms. O'Brien it was

VOTED:

(3-2004) To amend the proposed rules to change the starting time of regular Finance Committee meetings to 5:15 p.m. on Mondays.

VOTE: 5-0

FINANCE COMMITTEE MINUTES

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On motion of Ms. O'Brien, seconded by Mr. Mark Paradis it was

VOTED:

(4-2004) To adopt the following rules to govern the Finance Committee during the 2004 calendar year.

RULES OF THE FINANCE COMMITTEE

Regular Meetings:

- A. Time: The Finance Committee shall hold regular meetings twice monthly on **Mondays at 5:15 p.m.**
- B. Place: All regular meetings of the Finance Committee shall be held in Council Chambers of City Hall.

Special Meetings:

All special meetings shall be called in accordance with Chapter II, Section 2-553© of the Revised Code of Ordinances.

Parliamentary Procedure:

"ROBERT'S RULES OF ORDER" shall be regarded by the Finance Committee as the proper authority for parliamentary procedure in conduct of its meetings for the ensuing year.

Majority Vote:

All motions must be passed by a majority of the members (three) in order to constitute action on any matter.

Authorization for Contract Awards, Amendments and Change Orders:

The Committee authorizes the Purchasing Agent after consulting with the Finance Director to approve contracts, contract amendments or change orders for the purchase of goods and services under the following conditions:

A. Contracts

1. Award may be made to the low responsive bidder or sole responsive bidder when award is necessary to insure that the contract for goods or services is not delayed.

2. All contracts approved shall be forwarded to the Committee, for their ratification, at the next regular meeting with appropriate documentation and reasoning for proceeding with award of contract.

B. Amendments or Change Orders

1. The amendment/change order is necessary to insure that the contract for goods or services is not delayed.
2. The amount of the amendment/change order is no more than ten (10%) percent of the contract price, with an upset limit of \$5,000 for any single amendment/change order and that an aggregate limit of ten (10%) percent of the original contract price is not exceeded.
3. Should the levels set forth in Section 2 be exceeded and an amendment or change order is necessary to complete the project and to protect the best interest of the City, the City Administrator may authorize amendments or change orders up to \$10,000 but not to exceed ten (10%) percent of the total contract price, as provided for in Section 3.2 of the Purchasing Policy.
4. The City Administrator has signed and approved the amendment/change order. If the City Administrator deems the circumstances to be an emergency, they will be documented and reported to the Finance Committee at the next regular meeting.
5. All amendments/change orders approved shall be forwarded to the Committee, for their information, at the next regular meeting.
6. That should the amendment or change order amount exceed both Section 2 and Section 5 levels of authorization, a special meeting of the Finance Committee shall be called by the Chairman or ranking member of the Committee if the Chairman is not available.

Suspension of Rules:

Any of the foregoing rules may be suspended, amended or repealed providing a majority of the members vote therefore.

VOTE: 5-0

The Committee reviewed the information pertaining to a Cost of Living Adjustment to City Pensioners under an old City Pension Plan. There are currently 18 retirees or beneficiaries who are still receiving benefits under this plan and pursuant to the City's Code of Ordinance, a Cost of Living Adjustment is to be made annually based on the percentage increase given to active City employees. The report indicated that a 4% average increase had been given to active City employees and the recommendation was to provide a Cost of Living Adjustment to the Pensioners of 4%.

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On recommendation of the Finance Director and on motion of Mr. Mark Paradis, seconded by Mr. Stone it was

VOTED:

(5-2004) Pursuant to Section 58-111 of the revised Code of Ordinances, to authorize a Cost of Living adjustment for retired City employees or their beneficiaries under the non-contributory City Pension Plan in the amount of 4.0%, retroactive to July 1, 2003.

VOTE: 5-0

At this time, the Committee considered the award of two (2) contracts for design of the parking garage and Southern Gateway and the parking deck in front of Mill #7 on Chestnut Street to Platz Associates. The agreement between the City and Bates Mill LLC for acquisition of the remaining buildings at the Bates Mill Complex with the exception of Mill #5 and the Boiler House, provided for the City to contract with Platz Associates for design of these facilities. Design of the Southern Gateway garage is included in the agreement because of that facility being utilized to meet part of the obligation of the City for the construction of future parking spaces to support new development at the Mill Complex.

The fee to be paid to Platz Associates for design of the garage would be 6.5% of the construction cost for the facility. The standards used by the State of Maine for construction of these parking facilities recommends a fee for design of the facility up to and including construction documents, in the amount of 8.5% of construction cost.

On recommendation of the Purchasing Agent and on motion of Ms. O'Brien, seconded by Mr. Stone it was

VOTED:

(6-2004) To award the contract for design of the Southern Gateway Parking Garage and the Mill #7 Parking Deck to Platz Associates at a fee 6.5% of construction cost.

VOTE: 5-0

The Committee reviewed information relative to a Joint Venture Agreement between the City and Gendron & Gendron to develop an Industrial Park in South Lewiston to be constructed on the southerly end of Alfred A. Plourde Parkway on the opposite side of the WalMart Distribution Center Project. The agreement approved by the City Council required that the Public Services Director, Chris Branch, develop the unit pricing for the items required in the project. The prices utilized were similar to those in the construction of Alfred A. Plourde Parkway which was awarded on a bid basis to Gendron & Gendron. These prices were subsequently compared with average Maine Department of Transportation prices and were found to be in excess of \$200,000 less than MDOT pricing for a similar project.

Committee members asked questions relative to other terms of the agreement and felt comfortable that the City was receiving fair pricing for the work to be performed.

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On recommendation of the Purchasing Agent and on motion of Ms. O'Brien, seconded by Mr. Mark Paradis it was

VOTED:

(7-2004) To award the contract for construction of Discovery Drive, off of Alfred A. Plourde Parkway, to Gendron & Gendron of Lewiston, Maine, at a total estimated construction cost of \$467,965.

VOTE: 5-0

VOTED:

To adjourn at 5:37 p.m.

Richard T. Metivier
Clerk
Finance Committee